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REMARKS

Reconsideration of the application is requested. Claims 1 and 3-15 remain pending.

Claims 1, 3, 4, 6, 7, and 11 are rejected under 35 USC 103(a) as being unpatentable over Kawano (US 4,700,799) in view of Hahm (US 6,394,214). Applicants note that claim 11 depends from claim 9 which in turn depends from claim 8. However, claims 8 and 9 are not rejected in view of Kawano and Hahm so it is not clear to Applicants how claim 11 can be rejected in view of Kawano and Hahm. Clarification is requested.

In addition, claims 5 and 10 are rejected under 35 USC 103(a) as being unpatentable over Kawano and Hahm, as applied to claim 1, and further in view of Shinozaki (US 4,440,255). Applicants note that claim 10 depends from claim 9 which in turn depends from claim 8. However, claims 8 and 9 are not rejected in view of Kawano and Hahm so it is not clear to Applicants how claim 10 can be rejected in view of Kawano, Hahm and Shinozaki. Clarification is requested.

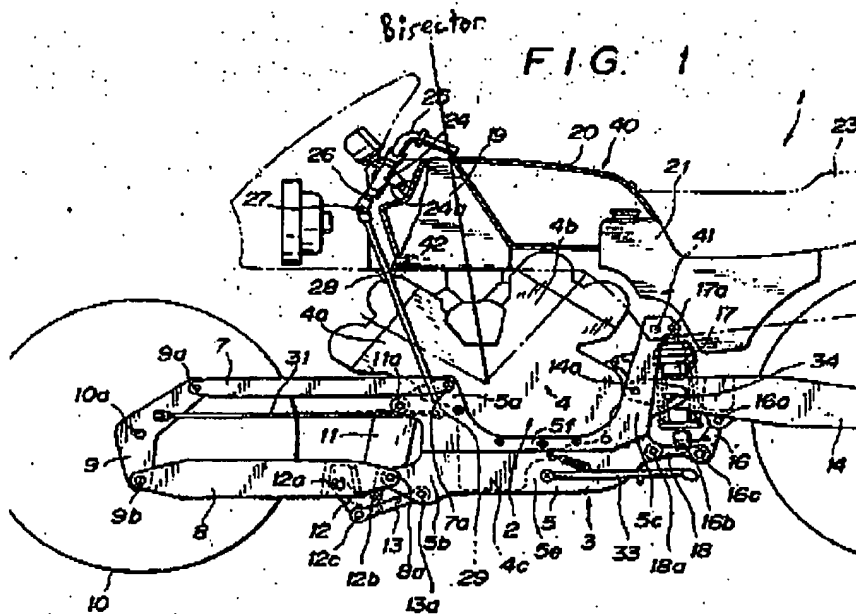
In addition, claims 1, 3, 4 and 6-15 are rejected under 35 USC 103(a) as being unpatentable over Tsuboi (US 4,706,774) in view of Hahm.

Applicants respectfully traverse the rejections.

Claims 1 and 12 each recite that the bisector of the banking angle extends through the head pipe. This feature is not disclosed in Kawano, Tsuboi or Hahm.

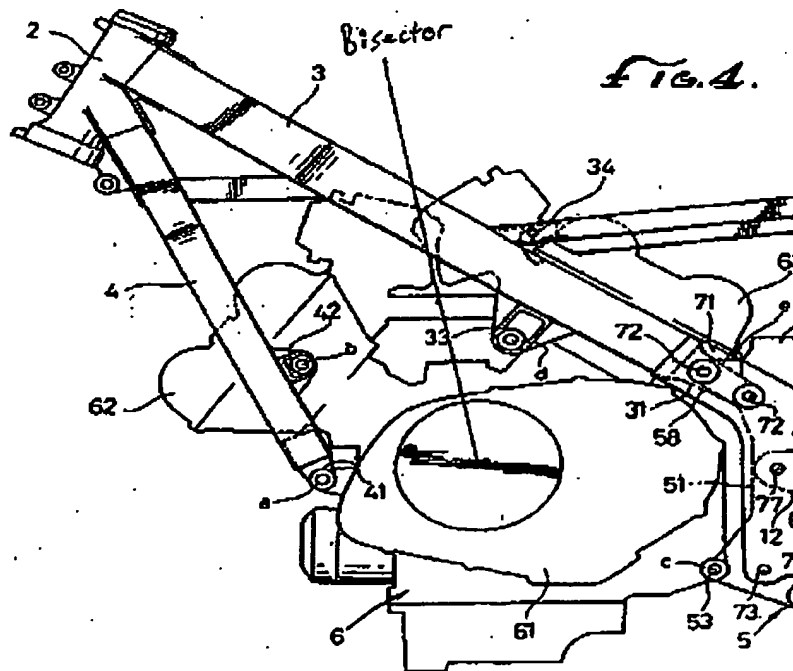
A portion of Figure 1 of Kawano is reproduced below.

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As indicated in the figure, the bisector of the banking angle clearly does not extend through the element 24 as required by claim 1.

In addition, a portion of Figure 4 of Tsuboi is reproduced below.



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As indicated in the figure, the bisector of the banking angle does not extend through the element 2 as required by claim 12. The rejection to claim 12 asserts that the bisector of the banking angle of Tsuboi is directed toward the head pipe 2. However, claim 12 does not recite that the bisector is "directed toward" the head pipe. Claim 12 recites that the bisector extends through the head pipe. This feature is clearly not disclosed in Tsuboi.

Hahm does not remedy the deficiencies of Kawano and Tsuboi. Hahm is relied upon to teach low floors. Hahm does not teach the bisector of the banking angle extending through the head pipe.

For at least this reason, a prima facie case of obviousness has not been established with respect to claims 1 and 12.

In addition, Kawano and Hahm do not teach or suggest a diamond type frame as recited in claim 1. Applicants note that Kawano is directed to a frameless motorcycle, so a frame is not even disclosed. In addition, a diamond type frame is defined by Applicants as "a frame with the engine suspended as a stressed member rather than cradled underneath by tubes of the frame." (See page 9, lines 28-29). The engine 4 in Kawano is cradled by the attachment member 3 from below. The engine 4 in Kawano is not suspended as a stressed member as is required by the meaning of "diamond type frame". The rejection characterizes elements 7-9, 24-28 and 42 as a diamond type frame. However, none of the elements 7-9, 24-28 and 42 suspend the engine 4 as a stressed member. Therefore, the attachment member 3, and the elements 7-9, 24-28 and 42, are not a diamond type frame.

In addition, Applicants traverse the assertion that Kawano discloses down frames 41 and upper frames 42. The elements 42 do not extend backward and downward from the element 24 characterized as the head pipe, as recited in claim 1. In addition, the elements 41 do not extend downward from the element 24, as recited in claim 1.

Further, Kawano does not disclose right and left low floor supporting frames as recited in claim 1, nor does the rejection address where these features are found in Kawano. Hahm is relied upon as teaching low floors. However, Hahm teaches that the floor boards 40 are to be positioned below the engine 24. There is no teaching or

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suggestion in Kawano or Hahm to make the proposed modification. The rejection states that it would be obvious to add step floors to Kawano to enable the operator to ride with his or her legs in a relaxed, raised position during travel. However, the type of motorcycle disclosed by Kawano is such that step floors would not be used. Kawano discloses foot pegs 34 in Figures 1 and 2 on which the driver's feet would be placed. The type of motorcycle disclosed by Kawano is not typically used with step floors, so a person of ordinary skill in the art would not be led to add step floors to Kawano.

For at least these reasons, claim 1 is patentable over Kawano and Hahm. Claims 3-7 depend from claim 1 and are patentable therewith and need not be separately distinguished. Applicants do not concede the rejections to claims 3-7.

With respect to claims 1, 8, 12 and 14 and Tsuboi and Hahm, the motorcycle disclosed by Tsuboi uses foot pegs 104 to support a rider's feet (see Figure 5 and column 4, lines 34-35). Tsuboi does not disclose a low floor type motorcycle or a motorcycle that would even use low floors. There is no teaching or suggestion in Tsuboi or Hahm to make the proposed modification. The rejection states that it would be obvious to add step floors to Tsuboi to effectively secure the strength and rigidity of the engine, and to enable the operator to ride with his or her legs in a relaxed, raised position during travel. However, there is no indication in Tsuboi or elsewhere that strength and rigidity of the engine is a concern or needs to be secured. In addition, the type of motorcycle disclosed by Tsuboi is such that step floors would not be used. The motorcycle disclosed by Tsuboi that uses foot pegs is not typically used with step floors, so a person of ordinary skill in the art would not be led to add step floors to Tsuboi.

For at least these reasons, claims 1, 8, 12 and 14 are patentable over Tsuboi and Hahm. Claims 3, 4, 6-7, 9-11, 13 and 15 depend from claims 1, 8, 12 and 14, and are patentable therewith and need not be separately distinguished. Applicants do not concede the rejections to claims 3, 4, 6-7, 9-11, 13 and 15.

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In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.

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